IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1754 OF 2004
IN
SECOND APPEAL NO.1310 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

Mr.S.R.Page for applicant
Mr.Shrikant Yadav h/f Dilip Bodke for respondent

CORAM : P.V.KAKADE, J.

DATE : 16TH SEPTEMBER, 2005

P.C.:

1. Heard the learned counsel for both the parties. This is an application for Stay of the lower court decree of perpetual injunction against the respondent. Both the courts below have recorded concurrent findings that the respondent plaintiff is entitled to protection his possession in the suit property from the present.

2. Under these circumstances, the order passed by the lower court cannot be Stayed. However, in the interest of justice it must be noted that pending the appeal the status-quo is required to be maintained with regard to the suit property as on today. Hence the application is partly allowed. Both the parties are directed to maintain status-quo with regard to the suit property as on today and earlier interim order, if any, stands vacated. With this direction the application is stands disposed of with no order as to costs.